

CITY OF SOUTH BELOIT  
REGULAR COUNCIL MEETING  
July 20, 2020

CALL TO ORDER: 5:19 pm, Council Chambers, City Hall by Mayor Rehl.

ROLL CALL: Present & answering to roll call were Commissioners Adleman, Fitzgerald, Hedrington, Morse, and Mayor Rehl.  
City Attorney Roxanne Sosnowski was present  
City Clerk Tracy Patrick recorded the minutes  
Department Heads in attendance:  
Fire Chief Mike Davenport  
Police Sergeant Dan Roggenbuck  
Waste Water Treatment Plant Superintendent Jeff Reininger  
Street Superintendent Mike Murphy

PLEDGE OF ALLEGIANCE: Led by Mayor Rehl and recited by all members present.

INVOCATION: Mayor Rehl asked for a moment of silence.

APPROVE AGENDA: Commissioner Hedrington made a motion to approve the agenda second by Commissioner Adleman. Voice vote carried the motion.

PUBLIC COMMENT: John Basque expressed concern regarding the proposed Bike Path improvements to the area of Winnebago Avenue and Roscoe Avenue. Mr. Basque stated he had previously contacted the City regarding cars not stopping at the stop sign and asked for a speed bump to be placed in the location. Mr. Basque has concerns for someone getting hurt if there are improvements to allow more pedestrians and traffic. Mayor Rehl said there will be a Public Hearing where recommendations can be discussed.

APPROVAL OF MINUTES:  
1. Commissioner Morse made a motion to approve the minutes of the Regular Council Meeting held on July 6, 2020. Commissioner Fitzgerald second the motion. Voice vote carried the motion.

REPORT OF OFFICERS:  
1. Finance:  
Commissioner Morse made a motion to pay the claims to be paid from July 3-17, 2020 in the amount of \$318,973.13. Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.  
2. Attorney Report:  
4. Commissioner's Report:  
Accounts & Finance-Commissioner Tom Fitzgerald  
Health & Public Safety-Commissioner Brian Hedrington  
Streets & Public Improvement-Commissioner Ryan Adleman  
Public Properties-Commissioner Ken Morse

NEW BUSINESS:  
1. Discussion and/or Motion Items:  
a. Commissioner Adleman made a motion to approve Ordinance 2535 Ratifying the issuance of a Class EV Special Event Liquor License for Jackson 620 d/b/a The Wheel for an event held on July 18, 2020. Commissioner Hedrington second the motion. Roll call vote showed 5 ayes.  
b. From the Zoning Board of Appeals Meeting held on July 15, 2020 a positive recommendation was given regarding a Variance. Attorney Sosnowski clarified that the setback would be down to 5', not 2' as stated on the agenda. Zoning Official, Jessica Roberts stated that 3 plans were submitted to the Zoning Board of Appeals, and the applicant requested Plan "C", which was recommended for approval by the Zoning Board members. Commissioner Fitzgerald made a motion to approve Ordinance 2536 approving a Zoning Variance in the (R1) Residential One-Family Zoning District for an accessory structure from the required 10' from principal building down to 5' for the property located at 15545 Summerbrooke Lane, South Beloit, Illinois,

- Winnebago County, with Pin No. 04-04-451-029. Commissioner Adleman second the motion. Commissioner Fitzgerald questioned if the structure would be on stilts in the drainage ditch, however, Ms. Roberts stated the plan recommended by the Zoning Board would place the structure in the rear yard and would not require stilts. Roll call vote showed 5 ayes.
- c. From the Zoning Board of Appeals Meeting held on July 15, 2020 a negative recommendation was given regarding a Variance. Commissioner Fitzgerald made a motion to approve Ordinance 2537 approving a Zoning Variance in the (R1) Residential One-Family Zoning District for an accessory structure from the maximum allowed square footage of 50% of the floor area of the principal use (480 square feet) to 160% of the floor area of the principal use (1,540 square feet) for the property located at 914 Roscoe Ave., South Beloit, Illinois, Winnebago County, with PIN No. 04-07-237-021. Commissioner Hedrington second the motion. Zoning Official, Jessica Roberts explained the applicant requested a detached garage in excess of 50% of the required floor area. The garage would be a detached 4-car garage plus additional space. The Zoning Board and staff recommended denial. Attorney Sosnowski advised Council that the ordinance is prepared in the approval. State Statute requires if approved the Council would need to lay out the Findings of Facts and state why Council believes the variance should be granted. The vote would require a super-majority vote, which would be 4 of 5 ayes. Commissioner Fitzgerald spoke about the size of the lot and believes there would not be an issue with the calculations since the property is located on a double lot. Ms. Roberts stated the calculation is based off the footprint of the home, not the lot size. The Zoning Board suggested attaching the garage to reach the goal without needing a variance. Attorney Sosnowski explained there has to be a hardship for the variance to be granted, and the Findings of Facts would need to show there is no other way to accomplish the goal without the variance. Roll call vote showed 3 ayes by Commissioners Adleman, Fitzgerald, and Hedrington, and 2 nays by Commissioner Morse and Mayor Rehl. The motion failed.
- d. Commissioner Adleman made a motion to approve Ordinance 2538 approving a Pre-Annexation Agreement for the property commonly known as 2522 Fisher Road, South Beloit, Illinois, 61080, and with PIN No. 03-02-376-001. Commissioner Morse second the motion. Attorney Sosnowski reviewed the Pre-Annexation Agreement stating the property is within 1.5 miles of the City limits of South Beloit. The property is not currently contiguous to the City, however; if within 20 years the property becomes contiguous to the City limits the property would be annexed in to the City. Attorney Sosnowski said the Council received a conceptual plan that shows what the property could look like if developed. Typically, the process is the application for pre-annexation, then the application for a Zoning Map Amendment. Once those have been approved a Development Application would need to be submitted and approved. Prior to any development specific environmental, well and other issues would need to be completed required by law. Commissioner Fitzgerald asked how other properties could be annexed. Attorney Sosnowski said that depends on property size, and added that there are other methods in the State Statute for voluntary and forceable annexation. This property is only a pre-annexation since it is not contiguous to the City limits. Commissioner Fitzgerald asked if homes are built will the City be required to add sewer and water services. Zoning Official, Jessica Roberts said there are no terms in the agreement that require the City to provide those services. Mayor Rehl added that the City can't afford to add sewer that far out, and the City does not own the water utility. Attorney Sosnowski said the agreement states the sewer services would only be required for connection if they are available. Commissioner Fitzgerald asked if the residents there would remain in the Hononegah School District. Mayor Rehl said schools are legislatively determined, and they would continue to be in the Hononegah School District. Roll call vote showed 5 ayes.
- e. Commissioner Adleman made a motion to approve Ordinance 2539 approving a Zoning Map Amendment for the property commonly known as 2522 Fisher Road, South Beloit, IL 61080, and with PIN No. 03-02-376-001 proposing that said property be zoned to the Rural Residential (RR) Zoning District of the City upon pre-annexation. Commissioner Morse second the motion. Roll call vote showed 5 ayes.
- f. Commissioner Fitzgerald made a motion to approve Ordinance 2540 amending Chapter 42 – Floods, of the City of South Beloit Code of Ordinances. Commissioner Hedrington second the motion. Attorney Sosnowski said the ordinance would change the current flood hazard regulations to allow single family residences within the floodplain to erect privacy fences as long as they have gates to allow water to pass through. The placement of the gate would be determined by the City. Attorney Sosnowski reviewed the requirements of the fences in the floodplain. Attorney Sosnowski said the amendment was requested by a resident then requested by members of the Council. Attorney Sosnowski strongly advised that staff is concerned with the approval of changing the flood hazard regulations since there are so many properties located

within the floodplain. Staff has encouraged fences to be erected with materials that allow water to flow through the fence, however; staff also understands there are a number of residents that want privacy fences in order to block the view of other properties. Passage of the ordinance could possibly have a negative effect to the flood area. Mayor Rehl said the staff's concerns are noted and Council has discussed this amendment individually, however: Council is considering the individuals in the floodplain. Roll call vote showed 5 ayes.

- g. Commissioner Morse made a motion to approve Ordinance 2541 amending Chapter 6 – Alcoholic Beverages, Article III, Retail License, Section 6-82, of the City of South Beloit Code of Ordinances. Commissioner Fitzgerald second the motion. Attorney Sosnowski said the ordinance allows for administrative approval for the EV Special Event License by the Liquor Commissioner after consultation with the Chief of Police and the City Clerk. The amendment also authorizes the holder of a Class D95 Liquor License to apply for a Class DW (Drive Through Window) sales, and sets the annual fee for the Class DW license at \$300.00. Roll call vote showed 5 ayes.
- h. Commissioner Adleman made a motion to approve Resolution 6148 Appointing member to the Zoning Board of Appeals as follows:
  - Glenn Lineman is hereby appointed as a member of the Zoning Board of Appeals to fill the unexpired five (5) year term of Larry Gerue with said term to expire in September 2020.

Commissioner Fitzgerald second the motion. Roll call vote showed 5 ayes.

- i. Commissioner Hedrington made a motion to approve Resolution 6149 supporting the application to the State of Illinois for a Community Development Block Grant regarding Nora's Place. Commissioner Morse second the motion. Roll call vote showed 5 ayes.
- j. Council discussed hiring a new Fire Chief. Mayor Rehl said Chief Davenport will be retiring on August 31, 2020. Attorney Sosnowski asked for direction regarding advertising on Indeed, and the Illinois Police Chief's website for the position. Council determined the ad would need to be put out by July 17<sup>th</sup>. Council authorized up to \$1500.00 for advertising. Council discussed wage amount for the position and determined Mayor Rehl and Commissioner Hedrington would meet with Finance Director, Don Elliott. Resume's would be due back by August 7<sup>th</sup>. Resume's would be submitted to Commissioner Hedrington. Council discussed any residency requirements and determined the position would require the applicant to live within a radius of 15 miles. If the selected Chief does not live within that range, they would be given 6 months to move in the required radius required.

ADJOURN:

At 6:14 pm on a motion made by Commissioner Adleman second by Commissioner Fitzgerald. Voice vote carried the motion.

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Mayor

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City Clerk

Approved: